

1. Title 22, California Code of Regulations (CCR), Section 64655 (b). Specifically, the Caltrans failed to collect the required bacteriological raw water quality sample from its surface water source during the month of November 2012.

BACKGROUND

Caltrans serves water to a transient population at the eastbound and westbound sides of the Cactus City Rest Area. The Cactus City Rest Area is located off of the I-10 freeway, east of Indio. The source of water is Colorado River surface water via Metropolitan Water District's aqueduct. Raw water gravity feeds a 2,500-gallon raw water storage tank on the westbound side. Raw water is pumped from the raw water storage tank to 500 gallon storage/pressure tanks on the eastbound and westbound sides. Raw water from the 500 gallon storage/pressure tanks serves the treatment plants and/or the irrigation and toilet systems.

Each treatment plant consists of a Rosedale 5.0 micron pre-filter and a 1.0 micron Giardia barrier bag filter followed by a flow meter and a 500-gallon filtered water storage/contact tank. The Rosedale bag filter treatment plant is defined as an alternative technology treatment system per Section 64653, Title 22, CCR. From the review of the Cactus City rest area laboratory data within the last year Caltrans has operated its treatment system to produce treated water with turbidity levels below 0.2 NTU and chlorine residual levels above 1.0 ppm at all times providing treatment of 3.0 log inactivation of Giardia Lamblia and 4.0 log inactivation of viruses as required in Caltrans domestic water permit.

1 **PREVIOUS ENFORCEMENT ACTIONS**

2 The following enforcement action was previously issued to this system for a similar
3 violation:

4
5 **November 27, 2012**, the Department issued a notice of violation for failure to collect
6 the required bacteriological water quality sample at the raw surface water source
7 during the month of October 2012.

8
9 **CHRONOLOGY OF EVENTS**

10 **Thursday, December 6, 2012**: Caltrans informed the Department that bacteriological
11 samples were not taken at the raw water source during the month of November 2012.
12 Caltrans became aware of this mishap when reviewing their November 2012 lab
13 report on Wednesday December 5, 2012 where on that date Caltrans requested the
14 lab to immediately take a sample and analyzed it for total coliform and E. coli
15 analyses. A copy of the laboratory test result is included in **Attachment 1**.

16
17 **DISCUSSION OF CONTRIBUTING PROBLEMS, SANITARY HAZARDS AND**
18 **PUBLIC HEALTH SAFEGUARDS**

19
20 It is our understanding that Caltrans conducts annual bids for their laboratory
21 contractors. The contractors are in charge of taking and analyzing the water samples
22 from Caltrans' Rest Areas water systems. Being that Caltrans water systems differ in
23 complexity, this has lead at times to contractors being confused regarding what to
24 sample for at each rest area. Although it was the contractor's mistake, Caltrans is
25 reminded that it is Caltrans responsibility to ensure that samples are collected and
26 analyzed during each monitoring period; and not its contractor.

1 **DIRECTIVES**

2 Caltrans is hereby directed to take the following actions:

- 3
- 4 1. Within 90 days of receipt of this citation, provide written notification to the rest
5 area's visitors of this procedural failure. The notification must be approved by the
6 Department prior to issuance. An example notice is provided in **Attachment No.2**.
- 7
- 8 2. Caltrans shall cease and desist from failing to sample at its surface water source
9 on a monthly basis as required in Section 64655 (b), Title 22, CCR.
- 10
- 11 3. Caltrans shall increase its oversight of the laboratory sample collector by requiring
12 the sampler to send a copy of the Chain of Custody for the samples collected each
13 week to Caltrans for review on a weekly basis. Caltrans shall request the
14 laboratory to submit the lab results as soon as available to help Caltrans see
15 whether the raw water sample was collected. The Department highly recommends
16 Caltrans to collect the raw water sample in the first week of each month to give
17 Caltrans plenty of time to review and evaluate that all the required samples were
18 collected by the lab sampler.
- 19
- 20 4. Caltrans shall review the sampling requirements with its contractor to ensure that
21 the contractor and their sampler clearly understand the sampling requirements for
22 the Cactus City Rest Area water system. Caltrans shall ensure that the raw water
23 sampling tap is clearly identified and accessible to the sampler. Caltrans shall
24 submit a written statement certifying that this requirement has been completed.
- 25
- 26
- 27

1 All submittals required by this Citation shall be sent to:

2
3 J. Steven Williams, P.E.
4 District Engineer
5 Department of Public Health
6 Division of Drinking Water and Environmental Management
7 1350 Front Street, Room 2050
8 San Diego, CA 92101
9

10 **CIVIL PENALTY**

11 Failure to comply with any provision of this citation may result in the Department
12 imposing an administrative penalty of not less than \$200.00 (Two hundred dollars) per
13 day as of the date of violation of any provision of this citation.

14
15 1-8-2013

16 Date

15 
16 J. Steven Williams, P.E.

17 District Engineer

18 Riverside District

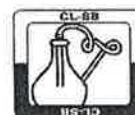
19 Drinking Water Field Operations Branch
20

21 cc: County of Riverside, Department of Environmental Health
22

23 **Attachments:**

- 24
25 1. December 2012 coliform raw water laboratory results
26 2. Example notification

Clinical Laboratory of San Bernardino, Inc.



Cal Trans RC SRRA 464 West 4th Street, 6th Floor, MS 1108 San Bernardino CA, 92401	Project: Cactus City #744 RC SRRA Sub Project: System Number 3301075 Project Manager: Cindy Gano	Work Order: 12L0448 Received: 12/05/12 16:35 Reported: 12/10/12
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Cactus City E/B Hose Bib 1 **12L0448-01 (Water)** **Sample Date:** 12/05/12 12:00 **Sampler:** Gino Guajardo

Analyte	Method	Result	Units	Rep. Limit	Prepared	Analyzed	Batch	Qualifier
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Field Analyses

CI Res Free (Field) Field 2.4 mg/L 12/05/12 12/05/12 1249419

Microbiology Analyses

Total Coliform	SM 9223	A	P/A		12/05/12	12/06/12	1249423	
E. Coli	SM 9223	A	P/A		12/05/12	12/06/12	1249423	
Total Coliform (Density)	SM 9223	ND	MPN/100 mL	1.0	12/05/12	12/06/12	1249423	
E. Coli (Density)	SM 9223	ND	MPN/100 mL	1.0	12/05/12	12/06/12	1249423	

Cactus City W/B Hose Bib 4 **12L0448-02 (Water)** **Sample Date:** 12/05/12 12:21 **Sampler:** Gino Guajardo

Analyte	Method	Result	Units	Rep. Limit	Prepared	Analyzed	Batch	Qualifier
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Field Analyses

CI Res Free (Field) Field 3.5 mg/L 12/05/12 12/05/12 1249419

Microbiology Analyses

Total Coliform	SM 9223	A	P/A		12/05/12	12/06/12	1249423	
E. Coli	SM 9223	A	P/A		12/05/12	12/06/12	1249423	
Total Coliform (Density)	SM 9223	ND	MPN/100 mL	1.0	12/05/12	12/06/12	1249423	
E. Coli (Density)	SM 9223	ND	MPN/100 mL	1.0	12/05/12	12/06/12	1249423	

Cactus City W/B Raw Well Tank **12L0448-03 (Water)** **Sample Date:** 12/05/12 12:39 **Sampler:** Gino Guajardo

Analyte	Method	Result	Units	Rep. Limit	Prepared	Analyzed	Batch	Qualifier
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Microbiology Analyses

Total Coliform	SM 9223	P	P/A		12/05/12	12/06/12	1249423	Notea
E. Coli	SM 9223	A	P/A		12/05/12	12/06/12	1249423	
Total Coliform (Density)	SM 9223	74	MPN/100 mL	1.0	12/05/12	12/06/12	1249423	Notea
E. Coli (Density)	SM 9223	ND	MPN/100 mL	1.0	12/05/12	12/06/12	1249423	
Plate Count	SM9215B	> 5700	CFU/ml	1	12/05/12	12/07/12	1250018	Note

Notea Notified Cindy 12/6/12 1110

Note Notified Brenda 12/08/12 1130

ND Analyte NOT DETECTED at or above the reporting limit

Clinical Laboratory of San Bernardino, Inc.

**Cal Trans RC SRRA**

464 West 4th Street, 6th Floor, MS 1108
San Bernardino CA, 92401

Project: Cactus City #744 RC SRRA

Sub Project: System Number 3301075

Project Manager: Cindy Gano

Work Order: 12L0448

Received: 12/05/12 16:35

Reported: 12/10/12

Robin Glenney
Project Manager

Chain of Custody



Client Job No.						Analysis Requested							
Client	Cal Trans Maintenance Water Mgr												
Address	464 W 4th St 6th Floor M/S 1108 San Bernardino, CA 92401												
System	3301075												
Phone No.	951 314-3677 Alt No.												
Project	Cactus City #744 RC SRRA												
Sampled By	Gino Guajardo												
Comments	First Wk River Run Thursday / Other Wks Wednesday Santos Saldivar 760 861-7660 / 760 347-3482 15 Miles East of Indio, 10 Fwy												
Date	Time	Sample Identification	Matrix	Type	Pres.								
12/5/12	12:00	Cactus City E/B Hose Bib #1	DW	1	6,7								
	12:21	Cactus City W/B Hose Bib #4	DW	1	6,7	X							
	12:39	Cactus City W/B Raw Well Tank	RW	1	6,7	X							
		Cactus City W/B Raw Well Tank	RW	1	6,7								
Preservatives: (1) Na ₂ S ₂ O ₃ , (2) HCl (3) HNO ₃ (4) NH ₄ Cl (5) H ₂ SO ₄ (6) Na ₂ SO ₃ (7) Cold (8) Other:						Matrix: DW - Drinking Water, RW - Raw Water, SW - Storm Water, S - Solid Type: 1 - Routine, 2 - Repeat, 3 - Replacement, 4 - Special // W - Well, D - Distribution							
Relinquished By (Sign)			Print Name / Company			Date / Time		Received By (Sign)		Print Name / Company			
[Signature]			Gino Guajardo CWSB			12/5/12 4:35		[Signature]		Trian Cruz			
Comments:													
Samples received: () On ice () Intact () Custody seals Temp 11 () F [initials]													
Shipped Via		{ } Fed X { } Golden State { } UPS		{ } Client	{ } Other	Page		of					

Instructions for Tier 3 Monitoring Violations Annual Notice Template

Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. **Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.7(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting ^(b) in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.7(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting ^(b) on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above, insertion in an annual notice, or included in the Consumer Confidence Report¹. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the standard language for monitoring and testing procedure violations and notification language in italics unchanged. This language is mandatory [64465].

¹ CCR may be used as long as public notification timing and delivery requirements are met [64463.7(d)].

You may need to modify the template for a notice for individual monitoring violations. The template presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice (e.g., in a footnote). An example is shown in the table below.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
VOCs ^(a)	1 sample every 3 years	None	2002 – 2005	February 2006

(a) Benzene; Carbon Tetrachloride; 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,1-Dichloroethane; 1,2-Dichloroethane; 1,1-Dichloroethylene; cis-1,2-Dichloroethylene; trans-1,2-Dichloroethylene; Dichloromethane; 1,2-Dichloropropane; 1,3-Dichloropropene; Ethylbenzene; Methyl-*tert*-butyl ether; Monochlorobenzene; Styrene; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene; Toluene; 1,2,4-Trichlorobenzene; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; Trichloroethylene; Trichlorofluoromethane; 1,1,2-Trichloro-1,2,2-Trifluoroethane; Vinyl Chloride; and Xylenes.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (1) contain information in the appropriate language(s) regarding the importance of the notice or (2) contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- “We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.”
- “We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]”
- “We plan to take the required samples soon, as described in the last column of the table above.”

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the Department within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Department sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a “problem corrected” notice when the violation is resolved.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Monitoring Requirements Not Met for [System]

Our water system failed to monitor as required for drinking water standards during the past year and, therefore, was in violation of the regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period dates], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)] and therefore, cannot be sure of the quality of our drinking water during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required Sampling Frequency	Number of Samples Taken	When All Samples Should Have Been Taken	When Samples Were or Will Be Taken
	[number] sample every [number][time interval]			

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

[Describe corrective action].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by [system].

State Water System ID#: _____. Date distributed: _____.